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BY ECF

December 28, 2023

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
Daniel P. Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Pham,*
12 Cr. 423 (RMB)

Dear Judge Berman:

This letter is respectfully submitted on behalf of defendant Minh Quang Pham, whom Bobbi C. Sternheim, Esq., and I represent in the above-entitled matter, and, for the reasons set forth below, requests an adjournment of Mr. Pham's sentencing (and the date for sentencing submissions). I have been in contact with Assistant United States Attorney Jacob H. Gutwillig, and he has informed me the government consents to this application.

The reason for the requested adjournment is that Ms. Sternheim and I have been unable, despite efforts, to schedule a telephone call with Mr. Pham to discuss various aspects of the sentencing submission. As the Court is aware, Mr. Pham is confined at the Administrative Maximum facility in Florence, Colorado ("ADX Florence"), and scheduling calls can require some time. Unfortunately, this is one of those instances.

Counsel for both parties have discussed potential dates for sentencing should the Court grant the application. The optimal date would be March 14, 2024. March 13, 2024, is also available, except not between 2 p.m. and 3:30 p.m. because I have another sentencing for a client at that time (in the Moynihan courthouse). Regarding sentencing submissions, the same time frames as currently in place would apply: Mr. Pham's would be submitted 15 days prior to sentencing, and the government's eight days prior to sentencing.

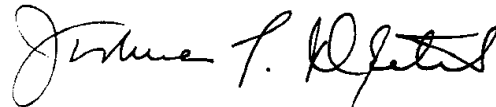
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Ms. Sternheim will be present at ADX Florence with Mr. Pham for sentencing proceeding (which the Court has ordered be conducted remotely), while I will be present here in the courtroom. Due to the fact that ADX Florence is on Mountain Standard Time (two hours behind New York), it is respectfully requested that sentencing not be scheduled before noon Eastern Standard Time to permit ADX Florence to arrange for Mr. Pham's presence in the room with the remote video equipment.

Accordingly, it is respectfully requested that the Court adjourn Mr. Pham's sentencing until either March 14, 2024, or March 13, 2024 (other than between 2 p.m. and 3:30 p.m.), and that the parties' sentencing submissions be adjourned in accordance with that schedule. As noted above, the government consents to this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joshua L. Dratel".

Joshua L. Dratel

Bobbi C. Sternheim

Bobbi C. Sternheim

JLD/